

**PROFESSIONAL COUNSELOR SECTION
MARRIAGE AND FAMILY THERAPISTS, PROFESSIONAL COUNSELING
AND SOCIAL WORKER EXAMINING BOARD (MPSW)
MINUTES
January 31, 2006**

PRESENT: LaMarr Franklin, Leslie Mirkin, Evelyn Pumphrey,
and Susan Putra

EXCUSED: None

STAFF PRESENT: Jeff Scanlan, Director of Health Services; Jacquelynn Rothstein, Legal Counsel; Gina York, Bureau Assistant, Division of Enforcement staff and others during portions of the meeting

GUESTS: Joseph D'Costa, DWD/DVR

CALL TO ORDER

Susan Putra called the meeting to order at 1:07 p.m. There was a quorum of four members present at today's meeting.

APPROVAL OF AGENDA

Additions to the Agenda:

- Open Session: Under Presentation of Proposed Stipulations Signed After the Mailing of the Agenda – Add Name Richard Boyum
- Open Session: After Under Presentation of Proposed Stipulations Signed After the Mailing of the Agenda – Add Item Presentation to Board Surrender of Credential Stephen Fleck.
- Closed Session: Under Deliberation of Proposed Stipulations Signed After the Mailing of the Agenda – Add Name Richard Boyum
- Closed Session: After Deliberation of Proposed Stipulations Signed After the Mailing of the Agenda - Add Item Deliberation of Surrender of Credential Stephen Fleck.

MOTION: Leslie Mirkin moved, seconded by LaMarr Franklin, to approve the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF OCTOBER 31, 2005

Amendments to the Minutes:

None.

MOTION: LaMarr Franklin moved, seconded by Evelyn Pumphrey to approve the minutes of October 31, 2005 as written. Motion carried unanimously.

PUBLIC HEARING REGARDING MPSW 14.03 RELATING TO CONTINUING EDUCATION CREDITS FOR PROFESSIONAL COUNSELORS

A public hearing at 1:16 p.m. regarding rule changes to MPSW 14.03 relating to continuing education credits for Professional Counselors. There was one individual who provided testimony to these rules at today's hearing, Upon conclusion of the public hearing the hearing tape was given to Pamela Haack, Office of Legal Services. The Section reviewed the clearinghouse report and their suggested changes to these rules. After some discussion and review by the following actions were taken by the Section.

MOTION: Leslie Mirkin moved, seconded by Evelyn Pumphrey, to accept the clearinghouse report and the additional changes identified by the PC Section at the 01-31-06 meeting. Motion carried unanimously.

MOTION: Leslie Mirkin moved, seconded by LaMarr Franklin, to move rule MPSW 14.03 forward in the rulemaking process after the period for comments ends on February 10, 2006. Motion carried unanimously.

ELECTIONS

MOTION: Evelyn Pumphrey moved, seconded by LaMarr Franklin, to nominate Susan Putra for Chair. Motion carried unanimously.

MOTION: LaMarr Franklin moved, seconded by Leslie Mirkin, to nominate Evelyn Pumphrey for Vice Chair. Motion carried unanimously.

MOTION: LaMarr Franklin moved, seconded by Evelyn Pumphrey, to nominate Leslie Mirkin for Secretary. Motion carried unanimously.

The election results are as follows:

ELECTION RESULTS	
Board Chair	Susan Putra
Board Vice Chair	Evelyn Pumphrey
Board Secretary	Leslie Mirkin

Gina York will forward this information to Roxanne Peterson to make the indicated changes on Board related documents. Jeff Scanlan, Director of Health Service Professions, will obtain the signatures from the officers and provide this document to Roxanne Peterson, Board Services, to update all Board related documents.

COMMITTEE ASSIGNMENTS

There currently are no committee assignments to be made by the Section.

APPOINT SCREENING PANEL MEMBERS

At today's meeting, Leslie Mirkin, Evelyn Pumphrey, and LaMarr Franklin were appointed to the PC Section screening panel.

APPOINTMENT OF BOARD LIAISONS

At today's meeting, Susan Putra was designated as the credentialing liaison for the PC Section.

ADMINISTRATIVE REPORT

Jeff Scanlan, Director of Health Service Professions, congratulated the Section's officers on their new roles, Mr. Scanlan provided a copy of the 2006 meeting dates for the PC Section to note for their calendars and to use as a reference.

ANNUAL POLICY REVIEW WITH BOARDS

Jeff Scanlan, Director of Health Service Professions, did an annual review of department policies with the Section. They are as follows:

- 1) Agenda and Addendum Policy: This policy was reviewed with the Section and it was clarified with them that agenda items could be submitted up to three weeks before the upcoming scheduled meeting date. After that deadline, an addendum would be required. An addendum is used only to post items that are of an urgent nature and cannot wait until the next meeting. This should be a rare occurrence and not the norm in preparing meeting agendas. Items that do not qualify as an urgent item will be considered for the next meeting agenda and will be part of that meeting's posting.
- 2) The Quorum Confirmation Policy: This policy was reviewed with the Section and it was clarified with them that if we do not hear from board members we would assume they will be attending the meeting. We will not be checking for a quorum each time. Only if we are contacted by two or more individuals indicating they will not be able to attend an upcoming scheduled meeting will we contact Section members to verify a quorum.
- 3) The Hotel Policy: This policy was reviewed with the Section regarding hotel room reservations for all meetings. The hotel policy is as follows:

DEPARTMENT POLICY

- A. If the Board Member is not going to use the reserved hotel room, it is the **responsibility of the Board Member** to cancel the room by calling the hotel themselves. If the room is not cancelled, the Board Member would be responsible to pay the bill.
 - B. If we cancel a meeting because of lack of quorum or no business, it should be our responsibility to cancel any room reservations.
- 4) Travel Rules and Policies: Annual meetings, intent to travel, In-State and Out-of-State travel were discussed and handouts were provided indicating the allowances for travel and limitations on in-state and out-of-state travel. The Section gets one annual meeting a year in which a designee can attend. Section approval is required to attend such annual meetings and the paperwork for the intent to travel would need to be submitted prior to attending.

PRESENTATION OF PROPOSED STIPULATIONS

There were no stipulations submitted for inclusion in the agenda packet.

PRESENTATION OF PROPOSED STIPULATIONS THAT MAY BE SIGNED AFTER MAILING OF THE AGENDA

Jack Zwieg presented one stipulation at today's meeting submitted after the mailing of the agenda regarding Richard K. Boyum.

PRESENTATION TO THE BOARD REGARDING THE SURRENDER OF CREDENTIAL STEPHEN FLECK

James Polewski presented one surrender of credential to the Board at today's meeting regarding Stephen G. Fleck.

SUMMARY REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES AND PRESS RELEASES

Jacquelynn Rothstein, Legal Counsel, reviewed the summary reports with the Section at today's meeting and was available for questions.

STATUS OF RULES AND STATUTES

SB-502 DISCUSSION AND NEXT STEPS

Larry Martin, Executive Assistant and DRL Legislative Liaison, spoke before the MPSW Joint Board at their January 31, 2006 meeting. Mr. Martin shared that there is a Senate Health Committee hearing on February 8, 2006 and he would be attending this hearing to register the Department in support of this legislation. Jeff Scanlan, Director of Health Service Professions, shared at the PC Section meeting today, that he just received information that an assembly bill number has been assigned to SB-502. It is AB 928 and that another hearing before the Assembly Family Law Committee will also take place on February 8, 2006. After some discussion, the Section took the following action.

MOTION: LaMarr Franklin moved, seconded by Evelyn Pumphrey, to designate Leslie Mirkin to representative of the PC Section at February 8, 2006 Senate Health Committee hearing any other related Assembly Committee hearings. Motion carried unanimously.

STATUS AND UPDATE ON REWRITE OF HFS 61 RULES FOR OUTPATIENT MENTAL HEALTH CLINICS

This item was discussed in full at the MPSW Joint Board meeting.

DRL INTERPRETATION OF WISCONSIN ACT 25, ASSEMBLY BILL 100 (§ 2337AM) REGARDING EXCEPTIONS OF LCSWS UNDER § 440.75(3M) EXCEPTIONS

This item was discussed at the MPSW Joint Board meeting.

SUBSTANCE ABUSE PROVIDERS (FORMERLY AODA) ADVISORY COMMITTEE UPDATE

This was discussed at the MPSW Joint Board meeting and Ann Marie Starr was appointed to the Committee.

DISCUSSION REGARDING ISSUANCE OF SUBSTANCE ABUSE (AODA) SPECIALTY PURSUANT TO MPSW 1.09 CREDENTIALING OF SPECIALTY BY SECTION OR DELEGATE TO DRL

This item was discussed during the MPSW Joint Board meeting.

APPLICATION FORMS FOR SUBSTANCE ABUSE SPECIALTY AUTHORIZATION

This item was discussed at the MPSW Joint Board meeting. The Board appointed Ann Marie Starr will be working to streamline these application forms.

**DISCUSSION REGARDING IMPLEMENTATION OF MPSW 13.01
PSYCHOTHERAPEUTIC COUNSELING EFFECTIVE JANUARY 1, 2007
AND DEFINITIONS OF PSYCHOTHERAPY MODALITIES**

Jeff Scanlan, Director of Health Service Professions, informed the Section that some issues arose surrounding MPSW 13.01. The Section consulted with Jacquelyn Rothstein, Legal Counsel, regarding the interpretation of the rule and options available to them. The Section provided specific information to Jeff Scanlan regarding psychotherapy modalities and he will respond to Mr. Rockwood on behalf of the Section.

MOTION: Leslie Mirkin moved, seconded by LaMarr Franklin, to have Jeff Scanlan respond to Gary Rockwood, UW Stout, on behalf of the PC Section. Motion carried unanimously.

MOTION: Evelyn Pumphrey moved, seconded by LaMarr Franklin, for the Section to issue a scope statement to repeal MPSW 13.01. Motion carried unanimously.

MOTION: LaMarr Franklin moved, seconded by Leslie Mirkin, to designate the chair to authorize the approval of the scope statement to repeal MPSW 13.01. Motion carried unanimously.

**LETTER TO PC SECTION FROM RICHARD AVERBECK, PH.D. REGARDING
REQUIREMENTS UNDER MPSW 13**

The Section reviewed the correspondence from Richard Averbeck, Ph.D. regarding requirements under MPSW 13 and took the following action at today's meeting.

MOTION: Leslie Mirkin moved, seconded by LaMarr Franklin, to have Jeff Scanlan respond to Richard Averbeck, Ph.D. on behalf of the PC Section. Motion carried unanimously.

**REVIEW AND APPROVAL OF M.S. COUNSELING PROGRAM FOR PC LICENSURE
UW MADISON**

MOTION: Leslie Mirkin moved, seconded by LaMarr Franklin, to have this agenda item moved to the next meeting. Motion carried unanimously.

GENERAL POLICY FOR CE EXTENSION/WAIVER REQUESTS AT RENEWAL

MOTION: Leslie Mirkin moved, seconded by Evelyn Pumphrey, to have this agenda item moved to the next meeting. Motion carried unanimously.

**INFORMATIONAL: DECEMBER 7, 2005 LETTER TO EDUCATORS REGARDING
PROFESSIONAL COUNSELING TRAINING CERTIFICATE**

Noted.

DISCUSSION REGARDING PSYCHOMETRIC TESTING

This item was discussed during the MPSW Joint Board meeting.

HEARING ON DENIAL OF APPLICATION CHRISTA GLOWACKI

A Class 1 Hearing scheduled for 2:00 p.m. regarding a denial of application for Christa Glowacki did not take place due to Ms. Glowacki's request to withdraw her request.

HEARING ON DENIAL OF APPLICATION STEVE SHEFCHIK

A Class 1 Hearing was held at 2:38 p.m. regarding a denial of application for Steve Shefchik. This will be deliberated on later today in closed session.

REQUESTS FOR APPROVAL OF SUPERVISOR

There were no supervisory request submitted by Credentialing for inclusion in the Section's agenda packet.

SUPERVISOR APPROVALS RECEIVED AFTER THE MAILING OF THE AGENDA

There were fourteen supervisory request submitted by Credentialing received after the mailing of the agenda packet for the Section's review at today's meeting.

MOTION: Leslie Mirkin moved, seconded by LaMarr Franklin, to deny Saleem El' Amin as a supervisor for Marcella Adkins. Motion carried unanimously.

MOTION: Leslie Mirkin moved, seconded by Evelyn Pumphrey, to approve James Randall Potter, LCSW as an approved supervisor for Michelle Donovan pending approval of her training certificate. Motion carried unanimously.

MOTION: Leslie Mirkin moved, seconded by LaMarr Franklin, to approve Carol Faynik, LCSW as an approved supervisor for Jennifer Elliot. Motion carried unanimously.

- MOTION:** LaMarr Franklin moved, seconded by Leslie Mirkin, to approve Daniel Lange, LCSW as an approved supervisor for Christine Garstka. Motion carried unanimously.
- MOTION:** LaMarr Franklin moved, seconded by Leslie Mirkin, to approve John Nesseth, LMFT, as an approved supervisor for Mary Henderson. Motion carried unanimously.
- MOTION:** Leslie Mirkin moved, seconded by Evelyn Pumphrey, to approve Steve Naymick, LCSW, as an approved supervisor for Gwen Hering. Motion carried unanimously.
- MOTION:** LaMarr Franklin moved, seconded by Evelyn Pumphrey, to approve Gerry Martinez, LMFT, as an approved supervisor for Regina Lien. Motion carried unanimously.
- MOTION:** Leslie Mirkin moved, seconded by LaMarr Franklin, to approve Kim Steen, LCSW, as an approved supervisor for Karen Littig. Motion carried unanimously.
- MOTION:** Leslie Mirkin moved, seconded by Evelyn Pumphrey, to approve Patricia Baker. LCSW, as an approved supervisor for Ana Paula Altieri Soares Lynch. Motion carried unanimously.
- MOTION:** Evelyn Pumphrey moved, seconded by Leslie Mirkin, to approve Cecilia Vallejo, LMFT, as an approved supervisor for Ana Paula Altieri Soares Lynch. Motion carried unanimously.
- MOTION:** Leslie Mirkin moved, seconded by LaMarr Franklin, to approve Jody Greenwald, LCSW, as an approved supervisor for Jodi Mathys. Motion carried unanimously.
- MOTION:** Leslie Mirkin moved, seconded by LaMarr Franklin, to approve Carol Fynick, LCSW, as an approved supervisor for Meredith Sary. Motion carried unanimously.
- MOTION:** Leslie Mirkin moved, seconded by Evelyn Pumphrey, to request more information regarding the request for an approved supervisor for Carol Seydewitz. Motion carried unanimously.
- MOTION:** Leslie Mirkin moved, seconded by LaMarr Franklin, to approve Jeanne Szatkowski, LCSW/MS, as an approved supervisor for Diane Walker. Motion carried unanimously.
- MOTION:** Leslie Mirkin moved, seconded by LaMarr Franklin, to approve Robert Lee, LCSW as an approved supervisor for Jennifer Yoo pending approval of her training certificate. Motion carried unanimously.

APPROVALS FOR PSYCHOMETRIC TESTING RECEIVED AFTER THE MAILING OF THE AGENDA

There were three requests for psychometric testing submitted by Credentialing after the mailing of the agenda packet for the Section's review at today's meeting. Credentialing provided the list of names along with the Section's decisions.

Mary Bonneson-Request for more information
Lori Kurutz-Request for more information
Jan Jackson-Approved.

CORRESPONDENCE AND PHONE INQUIRIES BY LEGAL COUNSEL

There were no correspondence or inquiries presented by Jacquelynn Rothstein, Legal Counsel, at today's meeting.

CONSULTING WITH LEGAL COUNSEL

The Section consulted with Jacquelynn Rothstein, Legal Counsel, throughout today's meeting as needed.

REPORT OF SCREENING PANEL

LaMarr Franklin reported that the screening panel met on January 31, 2006. They reviewed four complaints. There were no cases opened and no cases which needed more information.

INFORMATIONAL ITEMS

Noted.

VISITOR COMMENTS

None.

CONVENE TO CLOSED SESSION

MOTION: LaMarr Franklin moved, seconded by Evelyn Pumphrey, to adjourn to closed session pursuant to Wisconsin State statutes 19.85(1)(a)(b)(f) and (g) for the purpose of conducting appearances, reviewing monitoring requests, requests for licensure, deliberate on stipulations, administrative warnings, proposed decisions and orders, consulting with Legal Counsel and Division of Enforcement case status reports. Motion carried by roll call vote: Leslie Mirkin-yes, Evelyn Pumphrey-yes; LaMarr Franklin-yes; Susan Putra-yes.

Open Session recessed at 4:10 p.m.

RECONVENE INTO OPEN SESSION

MOTION: LaMarr Franklin moved, seconded by Evelyn Pumphrey, to reconvene into open session at 5:24 p.m. Motion carried unanimously.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MONITORING

None.

**DELIBERATION OF MONITORING ISSUES THAT MAY BE RECEIVED AFTER
MAILING OF AGENDA**

There were no monitoring cases or issues submitted by the Department Monitor after the mailing of the agenda packet for the Section's review at today's meeting.

**DELIBERATION REGARDING HEARING ON DENIAL OF APPLICATION
CHRISTA GLOWACKI**

Ms. Glowacki withdrew her request for a hearing.

**DELIBERATION REGARDING HEARING ON DENIAL OF APPLICATION
STEVE SHEFCHIK**

MOTION: Leslie Mirkin moved, seconded by Evelyn Pumphrey, to reaffirm the Section's previous decision regarding Steven Shefchik. Reason for Denial: Due to failure to meet requirements. Motion carried unanimously.

**DELIBERATION OF PROPOSED STIPULATIONS THAT MAY BE SIGNED
AFTER MAILING OF THE AGENDA**

RICHARD BOYUM

MOTION: Leslie Mirkin moved, seconded by Evelyn Pumphrey, to adopt the Findings of Fact, Conclusions of Law, Order, and Stipulation in the matter of Richard K. Boyum. Motion carried unanimously.

DELIBERATION OF VOLUNTARY SURRENDER OF CREDENTIAL

STEPHEN G. FLECK

MOTION: Evelyn Pumphrey moved, seconded by LaMarr Franklin, to accept the surrender of Stephen G. Fleck's professional counselor license. Leslie Mirkin did not participate during deliberation or voting. Abstained – Leslie Mirkin. Motion carried.

DELIBERATION OF PROPOSED ADMINISTRATIVE WARNINGS THAT MAY BE SIGNED AFTER THE MAILING OF THE AGENDA

None.

DELIBERATION OF PROPOSED FINAL DECISIONS AND ORDERS FOR DISCIPLINARY PROCEEDINGS RECEIVED AFTER THE MAILING OF THE AGENDA

None.

DELIBERATION OF PETITIONS FOR REHEARINGS THAT MAY BE SIGNED AFTER THE MAILING OF THE AGENDA

None.

DIVISION OF ENFORCEMENT CASE STATUS REPORT

MOTION: LaMarr Franklin moved, seconded by Leslie Mirkin, to close case **05 CPC 007** for prosecutorial discretion. Motion carried unanimously.

REVIEW OF APPLICATIONS

Diane Baird-Approved
Dawn Cagney-Approved
Thomas Eckert, Re-registration-Approved
Amy Ferkey-Approved
Connie Gardner-Denied
Celia Huerta-Approved
Amy Jahnke-Approved
Betsy Johnson-Denied
Eliza Killian-Requested more information
Ana Paula Lynch-Approved
Anne McLaren-Denied
Brian Messman-Approved
Rosemary Millen-Approved
Craig Miller-Approved

Amy Morrissey-Approved
Katherine O'Keefe-Approved
Roberta Rathert-Approved
Julie Ann Trimmel-Approved
Michele Schenk-Denied
Carol Seydewitz-Approved
Matthew Strittmater-Denied
Tammy Sytsma-Approved
Monica Wagner-Approved
Karen Zygowicz-Approved

MOTION: LaMarr Franklin moved, seconded by Evelyn Pumphrey, to approve those approved, denied those denied, and to request more information where indicated. Motion carried unanimously.

OTHER SECTION BUSINESS

None.

ADJOURNMENT

MOTION: LaMarr Franklin moved, seconded by Leslie Mirkin, to adjourn the meeting at 5:28 p.m. Motion carried unanimously.